IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2337 OF 2004

IN

SUIT NO.2263 OF 2004

Komalam Ramchandra Nair & others. ... Plaintiffs.

vs.

Mahim Sampada Co-op.Hsg.Society Ltd. & ors.... Defendants.

Mr.R.V.Pai i/b. A.Makhijani, for Plaintiffs.

Mr.R.A.Shaikh, for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 17th June,2005

P.C.:-

By consent of parties, notice of motion is disposed of in the following terms:-

1. The Receiver of this Court is appointed as Receiver on Flat no.10 on the Second floor in the building of Defendant no.1 Society. The Receiver shall first make inventory of articles found in the flat and those articles may be

delivered in possession of defendant no.1 Society for safe keeping on Suparatnama.

2. The Receiver shall thereafter offer agency of the flat to the plaintiffs to be in possession of flat as Agent of the Receiver on usual terms and conditions including royalty and security. If the plaintiffs do not execute agency agreement within a period of six weeks from the date on which the offer is made to them, the Receiver shall invite bids and appoint highest bidder as Agent of the Receiver.

3. Both the parties shall be at liberty to apply for modification or cancellation of this order, in case there is change in the situation.

Notice of Motion disposed of.

The Receiver to act on the authenticated copy of the order.